

COMMISSION DIRECTIVE

ADMINISTRATIVE MATTERS	<input type="checkbox"/>	DATE	<u>March 14, 2007</u>
MOTOR CARRIER MATTERS	<input type="checkbox"/>	DOCKET NO.	<u>2006-37-C</u>
UTILITIES MATTERS	<input checked="" type="checkbox"/>		

SUBJECT:

DOCKET NO. 2006-37-C - Petition of the Office of Regulatory Staff for a Rule-Making Proceeding to Examine the Requirements and Standards to Be Used by the Commission When Evaluating Applications for Eligible Telecommunications Carrier (ETC) Status and When Making Annual Certification of ETC Compliance to the Federal Communications Commission – Discuss this matter with the Commission.

COMMISSION ACTION:

Recently, this Commission determined to file proposed regulations to govern designation of ETCs and to schedule a workshop regarding annual certification of ETC's. However, with regard to pending applications for designation of ETC status, I believe the Commission should be concerned about further delaying consideration of these applications on their merits, as well as any applications that may be brought during the pendency of the consideration of the Commission's proposed regulations. Therefore, in regard to pending applications, as well as applications filed during the pendency of the regulation process, I believe that the Commission can and should move forward to consider ETC applications on a case by case basis pursuant to the provisions of Section 214(e) (2) of the Communications Act of 1934 as amended, and guided by reference to the services designated for support set out at 47 CFR 54.101. However, I believe it would be helpful to hear from interested parties regarding whether this Commission should consider the FCC's May 25, 2005, recommended guidelines regarding designation of new ETC's as part of its analysis of ETC applications during this interim period prior to issuance of this Commission's own ETC regulations. Therefore, I move that this Commission proceed to consider pending ETC applications, as well as applications filed during the pendency of the regulation process, but prior to doing so, that we request briefing from the parties, by April 19, 2007, regarding whether this Commission should consider the FCC's recommended guidelines regarding designation of new ETC's as part of its analysis of ETC applications during this interim period prior to issuance of our own ETC regulations.

PRESIDING	<u>Hamilton</u>				Session:	Regular
	MOTION	YES	NO	OTHER	Time of Session	<u>2:30 PM</u>
CLYBURN	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		APPROVED	_____
FLEMING	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		APPROVED STC 30 DAYS	_____
HAMILTON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		ACCEPTED FOR FILING	_____
HOWARD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		DENIED	_____
MITCHELL	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		AMENDED	_____
MOSELEY	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		TRANSFERRED	_____
WRIGHT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>		SUSPENDED	_____
					CANCELED	_____
					SET FOR HEARING	_____
					ADVISED	_____
					CARRIED OVER	_____
					RECORDED BY	<u>SCHMIEDING</u>